

**UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON**

**CIVIL MINUTES**

**Case No.:** 3:14-cv-01827-MO

**Date of Proceeding:** July 28, 2016

**Case Title:** Powell v. Adlerhorst International, Inc., et al

**Presiding Judge:** Hon. Michael W Mosman

**Courtroom Deputy:** Dawn Stephens  
Dawn\_Stephens@ord.uscourts.gov  
Telephone number (503) 326-8024

**Reporter:** Bonita Shumway

**Tape No:** \_\_\_\_\_

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**DOCKET ENTRY:**

Order Argument held.

Court Exhibit #1 and #2 identified, received and attached.

Taking under advisement Defendant's Motion for Judgment on the Pleadings [118] as stated on the record.

The parties are directed to brief the following: Whether there is identity of issues between the particular negligence theories advanced by Plaintiff in this case (see Jury Instruction #15) and the Jury's answer to question #8 on the verdict form regarding product liability.

Relatedly, the parties can also brief whether identity of issues can also result in issue preclusion and judgment for Defendant. Parties are directed to confer regarding a briefing schedule and submit the schedule to the Court by 8/3/2016. Parties are then directed to submit simultaneous briefing in accordance with that schedule.

**PLAINTIFF'S COUNSEL**

**DEFENDANT'S COUNSEL**

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Robert E. Barton

Joe R. Traylor

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cc: { } All counsel

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